

SANPETE COUNTY COMMISSION MEETING

October 3, 2008, 2:00 P.M.

Sanpete County Courthouse, 160 North Main, Room 303, Manti, Utah

Present are: Commission Chair Claudia Jarrett, Commissioners Mark Anderson and Dwight Inouye, County Attorney Ross Blackham, and County Clerk Sandy Neill.

Meeting is called to order by Commission Chair Claudia Jarrett.

INDIAN RIDGE PROPERTY OWNERS ASSOCIATION AND WATER CONSERVANCY DISTRICT: DISCUSSION OF WILDLAND URBAN INTERFACE REQUIREMENTS; TAX ASSESSMENTS; WATER RIGHTS; AND OTHER ISSUES

Chuck Cummins, Ramona Tomsik, Ed Tomsik, David Taylor, Clyde Holm, Dave Bess, Dale Kemp, Benjamin Kemp, Janet Barlow, Jay Barlow, Ann Atkin, and Gary VanHorn are present.

The assessor reevaluated the property in Indian Ridge this past week, and letters will be sent to the effected property owners.

Chuck Cummins is unclear as to how the fee for the special assessment area for the new fire station will be handled. Commissioner Jarrett explains that CIB and USDA have approved \$780,000.00 to be used to build a new fire station. Part of that money will be a grant, and the remaining will be a zero interest loan. Initially, the request will be to pay for this with a per lot assessment for all lots in the assessment area. Public meetings will be held before this decision is made. This will involve more property than Indian Ridge. The assessment will be less than \$10/per year per lot. If it costs less to build this, the remaining grant money will be returned. The funding was approved yesterday with CIB, and the County will move forward with this project. Building will not begin until Spring of 2009.

Jay Barlow asks the Commission to explain the Wildland Urban Interface (WUI) ordinance. Commissioner Jarrett explains that the state guidelines need to be followed if the County is to receive fire suppression funding from the State. She explains that one half of the fee for WUI is refunded to the property owner after the requirements of WUI are met. Mr. Barlow asks why the property owners' association can't find out the requirements and take care of this themselves. Commissioner Anderson explains that if this is left up to the associations to regulate, the County can't be guaranteed that it will be done. When it is tied to the building permit, occupancy will not be granted until the WUI requirements have been met. Ann Atkin suggests it could be more cost effective to have the building inspection department regulate this during their routine inspections rather than a separate employee making special inspections. The Commission will consider this request. Chuck Cummins asks if fire hydrants could be installed so that the WUI requirements would no longer need to be done. The Commission is concerned that the subdivision does not have water rights in place at this time to use for fire hydrants. Heated discussion is held about the water rights in Indian Ridge. The water district does not own water rights at this time. Commissioner Jarrett asks that the discussion of the water rights end now, and the meeting continue with the items that were on the agenda. The Commission will give Mr. Barlow 15 minutes after the meeting is finished to explain to the Commission his side of the water rights issue.

Chuck Cummins would like more information on the WUI requirements, so the association can be prepared to help owners be prepared. Jay Barlow explains the water right issue. He states it was never represented to the people that they would be given a water right when they purchased their land. Mr. Cummins states that if they need to purchase water rights to make their water system work, they may need to assess more to the property owners. People with connections are able to use the water, and the two water tanks have 80,000 gallons of water in them.

Clyde Holm states that over the last 10-15 years, they have requested that water be purchased for the subdivision. The board will move forward and see if water rights can be purchased.

The county will try to get a manual from the state that deals with the WUI information for the Subdivision. If there are still tax issues, they need to get with the assessor and address those.

Chuck Cummins asks about having Big Hollow road paved. Commissioner Jarrett explained that there is a priority list with Special Service District #1 for roads. She advises the association to write a letter to the SSD requesting the road improvements. The roads in the county are not on a maintenance schedule. With over 700 miles of roads, the road department works hard to see that the roads that need the work done the most get done first.

Jay Barlow takes time to explain to the Commission the status of the water rights. He wants it to be clear that he did not take money from the people. He leased his water rights for a small price (and sometimes even allowed the use of the rights for no fee) to the Water Conservancy District. Dale Kemp explains that the water rights are in the process of adjudication at this time. He does not personally own them. Janet Barlow explains that those rights are assigned to sources in Indian Ridge. Jay Barlow explains that he has encouraged the district over the years to get money together to purchase water rights. As of yet, the district has not purchased water rights. Ann Atkin suggests that they look outside of the water that is in litigation at this time, rather than waiting for this to settle in court.

Motion is made by Commissioner Anderson to adjourn. The motion is seconded by Commissioner Inouye, and the motion passes.

The meeting is adjourned at 3:44 P.M.

ATTEST: Sandy Neill
Sandy Neill
Sanpete County Clerk

APPROVED: Claudia Jarrett
Claudia Jarrett
Commission Chair